

WEST LAFAYETTE POLICE MERIT COMMISSION
MINUTES
July 10, 2006

The West Lafayette Police Merit Commission met in regular session at 7:30 pm in Council Chambers at City Hall on July 10, 2006. In compliance with the Indiana Open Door Law, notice of this regular meeting was sent to the press and posted. Copies of the meeting agenda and unapproved minutes of the June 12, 2006 Regular Meeting and June 21, 2006 Executive Session were available at a table adjacent to the entrance to the Council Chambers. Copies of the Police Merit Commission Expenditures and 2007 Proposed Budget as well as copies of the Commission's Rules and Regulations were also available at this table.

Police Merit Commission President Polles called the meeting to order and presided.

The Pledge of Allegiance was repeated.

PRESENT: Commissioners Virginia Nead, John Polles, and Joel Weber.

ABSENT: Commissioners Don Corrigan and Larry Leverenz.

ALSO PRESENT: Commission Counsel Williams, Deputy Police Chief Walker, Clerk-Treasurer Rhodes, Human Resources Director Foster, one member of the public, and two members of the press.

APPROVAL OF MINUTES

- A. Commissioner Weber's motion "that the minutes of the June 12, 2006 Regular Meeting be approved as distributed" was unanimously adopted.
- B. Commissioner Nead's motion "to accept as written the minutes of the June 21, 2006 Executive Session" was unanimously adopted.

OLD BUSINESS

- A. Filling the Patrol Officer Vacancy: The results of the background investigation of a prospective employee were received by the Commissioners at the June 21, 2006 Executive Session. Based on the information received at that Executive Session, Commissioner Weber moved "that an offer of employment not be made to the candidate whose investigation is complete and whose background was discussed at our Executive Session meeting." After discussion, the motion was unanimously adopted. Commissioner Weber further moved "that the naming of another applicant to Chief Marvin be deferred until after the Commission completes the interviews for the current applicants who are in the process of being added to the applicant order of merit eligibility list." After discussion, this motion was unanimously adopted.

- B. Submission of Proposed Budget: Commission President Polles discussed the proposed budget that was provided to the Mayor. Of note, the line item for Physical Exams has been increased to \$7,000 to reflect the possible hiring of additional officers in view of the city's annexation of land. Five new officers have been requested by Chief Marvin.

NEW BUSINESS

- A. Further Revisions to the Merit Commission's Rules and Regulations: After comparing the Indiana Code for Police Merit Commissions with existing Rules and Regulations, the following changes were recommended:

1) Commissioner Weber moved "to revise Article II.I(1) to read, "(1) Probationary Period. All applicants who pass the physical and mental examination as prescribed by the PERF board will become probationary members for a period of one (1) year. Probationary members shall be rated in the same manner as other members of the department. If the Commission is notified..." and to revise Article V.G (this is really "H" as there are two "G"s) to read, "Probationary Period. All promotions shall be considered as probationary for a period not to exceed one (1) year from date of appointment. Probationary members shall be rated in the same manner as other members of the department." After discussion, the motion was unanimously adopted.

2) Commissioner Weber moved "to revise Article IV.B to read, "Disciplinary Action by the Commission. Pursuant to IC 36-8-3.5-17(a), the Commission may take the following disciplinary action against a regular member of the department." After discussion, the motion was unanimously adopted.

3) Commissioner Weber moved "to revise Article I.B.(6)b) to read, "see that all notices are duly given in accordance with the provisions of these Commission rules and in accordance with IC 5-14-1.5-5 and 5-14-1.5-6.1." After discussion, the motion was unanimously adopted.

4) Commissioner Weber moved "to revise Article I.C.(5)e) to read, "deleted." After discussion, the motion was unanimously adopted.

5) Commissioner Weber moved "to revise Article I.D.(3) to read, "Record of Oral and Documentary Evidence. A complete record shall be kept of all oral and documentary evidence in any hearing before the Commission." After discussion, the motion was unanimously adopted.

6) Commissioner Weber moved "to revise Article IV.C.(3) to read, "Refusal to Cooperate. If a witness refuses to appear at the hearing after receiving written notice requiring his attendance, or refuses to produce evidence that the Commission requests by written notice, the Commission may file an affidavit..." After discussion, the motion was unanimously adopted.

7) Commissioner Weber moved “to revise Article IV.C.(5) to read, “Review. *In the event a hearing was conducted by a hearing officer or board, other than the Commission, the member may appeal any decision by said hearing officer or board to the Commission within ten (10) days...*”” After discussion, the motion was unanimously adopted.

8) Commissioner Weber moved “to revise Article IV.C.(6) to read, “Record of Hearings. *The Commission (including any hearing officer or board) shall keep a record...*”” After discussion, the motion was unanimously adopted.

9) Commissioner Weber moved “to revise Article V.G.(2) (note this is the second “G”) to read, “Rating the Probationer. *The Commission shall prepare a rating chart for the probationer’s superior to use in making the report to the Commission. The Commission shall review the report and decide what action should be taken.*”” After discussion, the motion was unanimously adopted.

- B. Review of the Department’s Application Process: Commissioner Weber requested that the application process and application be reviewed by representatives of the Police Department, the Police Merit Commission, and the Human Resources Office. Merit Commission Rules and Regulations specify that applicants must supply specific items along with the completed application. The application currently in use requires none of these items. In his opinion, either the application should be changed to require these items or this section of the Rules and Regulations should be revised. In addition, the Rules and Regulations state that the Commission shall review all new applications at their next regularly scheduled meeting. This practice is not being followed and is probably impractical due to the large number of applications received. Commission President Polles asked Commissioner Nead to work with Commissioner Leverenz, Deputy Chief Walker, and Human Resources Director Foster to review the process and application and make recommendations as to needed changes.
- C. Scheduling of Sergeant Promotional Interviews and New Applicant Interviews: Commission President Polles stated that scheduling of Sergeant promotional interviews will be deferred until the August meeting in that there is currently no opening for a new Sergeant. A check of Commissioner’s calendars showed that applicant interviews will most likely be scheduled between July 13 and July 22, depending on the availability of Commissioners Corrigan and Leverenz. Details of the interviews are to be coordinated by E mail with the final dates, places, and times promulgated by the Open Door Law Executive Session notification process.
- D. Citizen Police Academy: Deputy Chief Walker reported that the Department is ready to start taking applications for the first Citizen Police Academy. This will be an eleven week program, meeting one night per week for two to three hours, which will educate participants in a wide range of Police operations. It is not a Police Reserve program. Applications are available on the West Lafayette Police Department web site. It will start on August 30 and run through November 8.

ITEMS FROM THE FLOOR


None.

PUBLIC COMMENTS

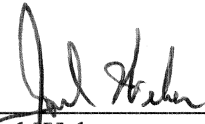
None.

ADJOURNMENT

The meeting adjourned at 8:25 pm.



John Polles
President



Joel Weber
Secretary

WEST LAFAYETTE POLICE MERIT COMMISSION
Meeting Agenda, 10 July 2006
7:30 P.M., Council Chambers, City Hall

Opening

Pledge of Allegiance
Roll Call
Approval of Minutes for
 Meeting on 12 June 2006
 Executive Session on 21 June 2006

Old Business

Filling the patrol officer vacancy (from Executive Session) (Commissioner Polles)
Proposed budget submission (Polles)

New Business

Proposed further revisions of the Merit Commission's Rules and Regulations (Weber)
Initial discussion of the application process for the Department (Weber)
Scheduling interviews for promotion to sergeant (Polles)
Scheduling interviews for new applicants (Polles)
Citizen Police Academy (Deputy Chief Walker)

Items from the Floor

Public Comments

Adjournment